IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO. 355 OF 2004

Surya Capsules Private Limited ...Applicant.

Shri Rahul Chitnis with Rajat Mukherjee i/b DSK Legal
for the applicant.

CORAM: V.M.KANADE,J.

DATE: 27th August, 2004

PC:.

1. Heard the learned Counsel appearing on behalf of the applicant.

2. Applicant has filed Company Application No.355 of 2004 under section 391(1) and 394 of the Companies Act, 1956. The applicant - Company along with the Company Application has filed letters of consent of the shareholders which are annexed at Exhibits-"G1 to G3" to the affidavit of N. Asthana dated 11th August, 2004. The applicant - Company has also annexed to the said affidavit at Exhibit-"H", the list of its equity shareholders as also the list of preference share holders. Pursuant to the directions given by this Court on the earlier date, an affidavit dated 26th August, 2004 has been filed by the applicant - Company stating therein that all the outstanding creditors have been paid. A copy of the unaudited Balance Sheet of the Company as on 31st March, 2004 is also annexed

at Exhibit-B to the said affidavit of N. C. Asthana dated 26th August, 2004. In para 5 of the said affidavit further statement is made that after March 31, 2004 and prior to filing the Company Application, the applicant - Company has paid off all its creditors and as on date of filing of the Company Application, the applicant - Company does not have any creditors. In view of this, the meeting of the shareholders, preference share holders as also of the creditors is dispensed with. Order in terms of the minutes of the order. Minutes of the order is taken on record and marked "X".

V.M. KANADE, J.